

LEXMARK

Lexmark International, Inc.
740 West New Circle Road
Lexington, KY 40550
USA

Practitioner's Docket No. 2003-0888.01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Benjamin A Askren, Peter Alden Bayerle and Donn Duane Bryant

Application No.: 10/798,929

Group No.: 2852

Filed: March 11, 2004

Examiner: Roth, Laura K.

Mail Stop 16

Director of the U.S. Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

REQUEST FOR REFUND (IMPROPER CHARGE OF DEPOSIT ACCOUNT)

I. REFUND REQUEST

This is a request for a refund, with respect to the charge to Deposit Account 12-1213, shown on the May 2006 statement, on the 17th day, for the above-identified application.

A copy of the monthly statement, in which the error referred to occurs, accompanies this request.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

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I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10*

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☒ facsimile transmitted to the Patent and Trademark Office, (571) 273-6500.

Date:

6/7/2006

Signature


E. L. Clark
(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

1 of 2

II. FEES CHARGED FOR WHICH REFUND REQUESTED**AMOUNT OF
REFUND
REQUESTED**

Excess claims..... \$200.00

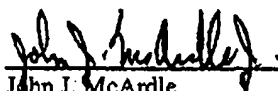
TOTAL REFUND REQUESTED..... \$200.00**III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR**

Excess claims fee was paid at the initial filing of the application. An amendment was filed on 02/20/2006, in response to the Office Action mailed on 12/01/2005. The fee transmittal accompanying the Amendment contained a typographical error stating "6" dependent claims were filed with the initial filing. However, the number of dependent claims was "5" with the initial filing and remains the same.

IV. MANNER OF REFUND

Please make refund by crediting Deposit Account No.: 12-1213.

Date:

June 7, 2006

John J. McArdle

Registration No. 26,770

LEXMARK INTERNATIONAL, INC

Intellectual Property Law Department

Lexington, KY 40550 US

859-232-3939

Customer No. 21972

PTO/SB/06 (12-00)

Approved for use through 7/31/2006. CMB 0051-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-575 Effective December 8, 2004

Application or Case Number

10/798,989

APPLICATION AS FILED - PART I

(Column 1)		(Column 2)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)		RATE (\$)	FEE (\$)
BASIC FEE (37 CFR 1.15(a) (1), (2) & (3))	N/A	N/A	N/A	150.00		N/A	300.00
SEARCH FEE (37 CFR 1.15(b) (1), (2) & (3))	N/A	N/A	N/A	\$250		N/A	\$500
EXAMINATION FEE (37 CFR 1.15(d) (1), (2) & (3))	N/A	N/A	N/A	\$100		N/A	\$200
TOTAL CLAIMS (37 CFR 1.15(f))	minus 20 =		X\$ 25		OR	X\$50	
INDEPENDENT CLAIMS (37 CFR 1.15(h))	minus 3 =		X100			X200	
APPLICATION SIZE FEE (37 CFR 1.15(i))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(C) and 37 CFR 1.15(s).						
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.15(j))			+180=			+360=	
			TOTAL			TOTAL	

* If the difference in column 1 is less than zero, enter "0" in column 2.

APPLICATION AS AMENDED - PART II

(Column 1)		(Column 2)	(Column 3)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)
Total (37 CFR 1.15(b))	19	minus 20		X\$ 25		OR	X\$50	
Independent (37 CFR 1.15(d))	5	minus 6		X100		OR	X200	
Application Size Fee (37 CFR 1.15(i))								
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.15(j))				+180=		OR	+360=	
				TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

(Column 1)		(Column 2)	(Column 3)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)
Total (37 CFR 1.15(b))		minus		X\$ 25		OR	X\$50	
Independent (37 CFR 1.15(d))		minus		X100		OR	X200	
Application Size Fee (37 CFR 1.15(i))								
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.15(j))				+180=		OR	+360=	
				TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, enter "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.15. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

If you need assistance in completing the form, call 1-800-PTO-5199 and select option 2.



**United States
Patent and
Trademark Office**



Deposit Account Statement

Requested Statement Month: May 2006
 Deposit Account Number: 121213
 Name: LEXMARK INTERNATIONAL INC
 Attention: INTELLECTUAL PROPERTY LAW DEPARTMENT
 Address: 740 WEST NEW CIRCLE ROAD
 City: LEXINGTON
 State: KY
 Zip: 40550
 Country: UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
05/03	150	PCT/US05/23028	2004-0112.02	1605	\$600.00	\$12,839.75
05/03	151	PCT/US05/23028	2004-0112.02	1705	\$155.00	\$12,684.75
05/03	152	PCT/US05/23393	2004-0204.02	1605	\$600.00	\$12,084.75
05/03	153	PCT/US05/23393	2004-0204.02	1705	\$155.00	\$11,929.75
05/03	154	PCT/US05/23403	2004-016.02	1605	\$600.00	\$11,329.75
05/03	155	PCT/US05/23403	2004-016.02	1705	\$155.00	\$11,174.75
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05/16	24	11382876		8021	\$40.00	\$76,775.75
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* 05/17	1	10798929	2003-0888.01/4670-276	1201	\$200.00	\$76,550.75
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05/25 65	11420115	2005-0331.02	1311	\$200.00	\$63,725.75
05/25 66	11420115	2005-0331.02	1202	\$350.00	\$63,375.75
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05/25 130	10224660	2001-0380.02	8001	\$9.00	\$61,666.75
05/26 92	10760726	2003-0574.02	1501	\$1,400.00	\$60,266.75
05/26 93	10760726	2003-0574.02	1504	\$300.00	\$59,966.75
05/26 94	10760726	2003-0574.02	8001	\$9.00	\$59,957.75
05/30 97	10946679	2002-0300.05	1501	\$1,400.00	\$58,557.75
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05/30 99	10946679	2002-0300.05	8001	\$9.00	\$58,248.75
05/31 6	11383266	2005-0702.01	1311	\$200.00	\$58,048.75

START	SUM OF	SUM OF	END
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\$13,439.75	\$35,391.00	\$80,000.00	\$58,048.75

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